

quired by the Railroad Commission of Texas."

Senators Colquitt, Burns, Beall, Terrell and Woods.

On motion of Senator Colquitt, the Senate adjourned to 10 a. m. Monday.

#### FORTY-SECOND DAY.

Senate Chamber,  
Austin, Tex., Monday, March 8.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Beall.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Absent.

Bailey.	Neal.
Linn of Wharton.	Stone.
Morriss.	

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of Saturday,

On motion of Senator Kerr, the same was dispensed with.

On motion of Senator Woods, Page Vaughn Bell was excused for the week to visit his mother.

On motion of Senator Stafford,

Senator Neal was excused for to-day, Tuesday and Wednesday, on account of important business (on the committee to visit State institutions).

On motion of Senator Ross,

Senator Bailey was excused for to-day and to-morrow, on account of important business.

On motion of Senator Bowser,

Doorkeeper John W. Dale was excused for to-day, Tuesday and Wednesday, on account of sickness in his family.

On motion of Senator Rogers,

Senator Morriss was excused indefinitely on account of sickness.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 153, a bill to be entitled "An act to amend article 271 of chapter 6, title 8, of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,  
Austin, Texas, March 8, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 171, a bill to be entitled "An act to amend article 3582a, title LXXVa, of the Revised Civil Statutes, in regard to the Board of Pardon Advisers."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,  
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 58, a bill to be entitled "An act to amend article 3982, Statutes of Texas, adopted at the regular session of the Twenty-fourth Legislature, relating to the transfer of children in district schools."

And find the same correctly engrossed.

BOREN, Acting Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Stafford (by request):

Senate bill No. 273, a bill to be entitled "An act to regulate chattel mortgages and trust deeds executed by an insolvent debtor for the purpose of procuring preferred creditors, and to punish fraudulent debtors and fraudulent preferred creditors."

Read first time and referred to Judiciary Committee No. 2.

By Senator Yett (by request):

Senate bill No. 274, a bill to be entitled "An act to reorganize the Twenty-seventh, Thirty-third, Thirty-eighth and Fifty-first Judicial Districts of the State of Texas."

Read first time and referred to Committee on Judicial Districts.

By Senator Colquitt:

Senate bill No. 275, a bill to be entitled "An act to amend subdivision 8, of article 1083, of the Code of Criminal Procedure of the State of Texas, relating to fees in certain cases."

Read first time and referred to Committee on Finance.

By Senator Atlee:

Senate bill No. 276, a bill to be entitled "An act to amend article 4584b, of chapter 14, title XCIV, of the Revised Civil Statutes, limiting the issuances of indebtedness on the part of railroad corporations, where same is secured by a lien upon the property and franchises of such corporations."

Read first time and referred to Judiciary Committee No. 1.

Call concluded.

#### SPECIAL ORDER.

The Chair laid before the Senate, on second reading,

Senate bill No. 240, a bill to be entitled "An act to amend an act entitled 'An act to provide for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent or reported sold to the State, or to any county, city or town for the tax due thereon and not redeemed, or which may hereafter be returned delinquent or reported sold to the State, or to any county, city or town to satisfy the lien thereon,' as enacted by the regular session of the Twenty-fourth Legislature, being chapter 5a, of title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act."

Bill read second time.

At request of Senator Greer, the bill was considered by sections.

Section 1, read.

Section 2, read.

By Senator Goss:

Amend section 2 by striking out "1885," in line 26, page 1, of printed bill, and insert "1888."

Lost.

Section 3, read.

By Senator Colquitt:

Amend by striking out the word "interest," in line 22 of page 2, section 3.

Adopted.

Section 4, read.

Section 5, read.

By Senator Lewis:

Amend section 5, page 4, by adding after the word "advertised," in line 14, the following: "And the commissioners' court of said county shall not allow for said publication a greater amount than 25 cents for each tract of land so advertised."

Adopted.

By Senator Goss:

Amend section 5, line 13, by adding after the word "taxed" the words "as costs."

Lost by the following vote:

Yeas—9.

Darwin.	Lewis.
Dibrell.	Rogers.
Goss.	Tillett.
Greer.	Turney.
Harrison.	

Nays—16.

Atlee.	Linn of Victoria.
Beall.	Presler.
Boren.	Ross.
Bowser.	Stafford.
Burns.	Terrell.
Colquitt.	Wayland.
Gough.	Yantis.
Kerr.	Yett.

Absent.

Linn of Wharton. Woods.  
Stone.

Excused.

Bailey. Neal.  
Morris.

Section 6, read.

Section 7, read.

By Senator Lewis:

Amend section 7, page 5, line 15, by adding after the word "State" the following: "And should several writs be filed against a delinquent on several pieces of property which might have been brought in one suit, the defendant shall have the right, on motion, to have same consolidated without cost to him."

By Senator Tillett:

Amend the amendment by adding thereto, "and all costs accrued by bringing more than one suit in such cases shall not be taxed against said defendant or said property."

Lost.

The amendment (Lewis') was then lost.

By Senator Dibrell:

Amend by inserting the word "penalties" after the word "interest," in lines 23 and 24 of section 7, page 5.

Adopted.

Section 8, read.

Section 9, read.

By Senator Goss:

Amend section 9, line 1, by striking out the word "resident."

Adopted.

(Senator Burns in the chair.)

By Senator Greer:

Amend section 9, page 7, line 20, by striking out the word "block" and inserting the words "city or town," and further by adding after the word "costs," line 21, the following, "except those of advertising, which shall be 25 cents for every ten lots, or any number less than ten."

Adopted by the following vote:

Yeas—15.

Atlee.	Lewis.
Bowser.	Linn of Victoria.
Burns.	Rogers.
Darwin.	Terrell.
Goss.	Tillett.
Greer.	Turney.
Harrison.	Yett.
Kerr.	

Nays—9.

Beall.	Stafford.
Boren.	Wayland.
Colquitt.	Woods.
Gough.	Yantis.
Ross.	

Absent.

Dibrell.	Presler.
Linn of Wharton.	Stone.

Excused.

Bailey.	Neal.
Morriss.	

By Senator Lewis:

Amend section 9, page 7, line 10, by transposing the word "provided" and all thereafter down to and including the word "paid," in line 14, and inserting same after the word "suit," in line 18, page 7.

Adopted.

By Senator Tillett:

Amend section 9, page 7, lines 15 and 16, strike out the words "tract or lot of land that he sells" and in lieu thereof insert the word "purchaser."

Adopted.

By Senator Lewis:

Amend section 9, line 10, page 7, by adding after the word "costs," "provided, that those county attorneys

who may have heretofore or may hereafter institute said suits shall be entitled to an equal division with their successor in office of the fees allowed herein on all suits where judgment has not been obtained prior to the vacation of their office."

Adopted.

By Senator Terrell:

Amend by striking out "10 per cent," line 29, page 7, section 9, and insert "5 per cent."

Adopted.

Section 10 read.

By Senator Greer:

Amend section 10, page 8, by adding after the word "thereon," line 11, the following: "Provided, that the provisions of this section shall not be construed so as to authorize the collection of the penalty herein provided for, by reason of the failure of the taxpayer to pay, by January 31, 1897, his taxes due for the year 1896."

Lost by the following vote:

Yeas—7.

Beall.	Greer.
Boren.	Harrison.
Darwin.	Presler.
Goss.	

Nays—15.

Burns.	Terrell.
Colquitt.	Tillett.
Gough.	Turney.
Kerr.	Wayland.
Linn of Victoria.	Woods.
Rogers.	Yantis.
Ross.	Yett.
Stafford.	

Absent.

Atlee.	Lewis.
Bowser.	Linn of Wharton.
Dibrell.	Stone.

Excused.

Bailey.	Neal.
Morriss.	

Section 11 read.

Section 12 read.

At this point Senator Greer withdrew his request that the bill be considered by sections.

By Senator Goss:

Amend section 5, line 14, by adding after the word "advertised," the following: "Which fee, when collected, shall be paid into the county treasury."

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

## Yeas—25.

Atlee.	Linn of Victoria.
Beall.	Presler.
Boren.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Tinett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.
Lewis.	

## Nays—1.

Darwin.

## Absent.

Linn of Wharton. Stone.

## Excused.

Bailey.	Neal.
Morriss.	

Bill read third time, and passed by the following vote:

## Yeas—26.

Atlee.	Lewis.
Beall.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

## Nays—none.

## Absent.

Linn of Wharton. Stone.

## Excused.

Bailey.	Neal.
Morriss.	

Senator Colquitt moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Goss, the regular order of business was suspended to take up, on its second reading,

Senate bill No. 208, a bill to be entitled "An act to repeal article 5172 of the Revised Civil Statutes of the State of Texas, relating to the payment of taxes by non-residents."

Bill read second time, and ordered engrossed.

(Lieutenant Governor Jester in the chair.)

The Chair gave notice of signing, and did sign, in the presence of the

Senate, after their captions had been read,

House bill No. 110, a bill to be entitled "An act to amend articles 2526, 2531 and 2532, of title 49, of the Revised Civil Statutes of Texas, and to repeal article 2527 of said title, relating to forcible entry and detainer."

Also,

House bill No. 87, a bill to be entitled "An act to amend article 4069, chapter 4, title LXXXVII, of the Revised Civil Statutes of the State of Texas."

Senator Presler offered the following:

Resolved, that whereas Dr. J. M. L. Curry, a prominent friend of education, of national reputation, and agent and manager of the Peabody fund, is present in the Senate chamber, that he be invited to a seat within the bar of the Senate.

Adopted, and Senator Presler appointed to escort the distinguished educator to a seat with the President.

By Senator Linn of Victoria:

Resolved, that when the Senate adjourns to-day, it be to stand adjourned until Thursday, March 11, 1897, at 10 o'clock a. m., in order to permit Senators, desiring to do so, to attend the twenty-first annual meeting of the Cattle Raisers' Association, to convene at San Antonio on the 9th and 10th inst.

Lost by the following vote:

## Yeas—8.

Atlee.	Kerr.
Burns.	Lewis.
Goss.	Linn of Victoria.
Harrison.	Turney.

## Nays—15.

Beall.	Ross.
Boren.	Terrell.
Bowser.	Tillett.
Colquitt.	Wayland.
Darwin.	Woods.
Dibrell.	Yantis.
Greer.	Yett.
Presler.	

## Absent.

Gough.	Stafford.
Linn of Wharton.	Stone.
Rogers.	

## Excused.

Bailey.	Neal.
Morriss.	

The chair laid before the Senate the following message and accompanying resolution:

Hall House of Representatives,  
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of  
the Senate.

I am directed by the House to in-  
form the Senate of the passage of the  
following resolution:

Resolved, that the Senate be and are  
hereby invited to seats in the hall of  
the House of Representatives to-night  
at 8 o'clock p. m., to hear a lecture by  
the Hon. J. L. M. Curry, on the sub-  
ject of education.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

On motion of Senator Colquitt, the  
invitation of the House was accepted.

On motion of Senator Colquitt, the  
Senate adjourned to 3 p. m., by the  
following vote:

Yeas—20.

Beall.	Linn of Victoria.
Bowser.	Presler.
Burns.	Ross.
Colquitt.	Terrell.
Darwin.	Tillett.
Dibrell.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Nays—5.

Atlee.	Rogers.
Boren.	Stafford.
Lewis.	

Absent.

Goss.	Stone.
Linn of Wharton.	

Excused.

Bailey.	Neal.
Morriss.	

#### AFTERNOON SESSION.

The Senate met pursuant to adjourn-  
ment.

Lieutenant-Governor Jester in the  
chair.

Roll called.

Quorum present, the following Sena-  
tors answering to their names:

Atlee.	Lewis.
Boren.	Linn of Victoria.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Absent.

Beall.	Presler.
Gough.	Stone.
Linn of Wharton.	Turney.

Excused.

Bailey.	Neal.
Morriss.	

On motion of Senator Woods, the  
regular order of business was sus-  
pended to take up, on its second read-  
ing,

House bill No. 109, a bill to be enti-  
tled "An act relating to the presence  
of minors in court rooms."

Bill read second time.

By Senator Woods:

Amend by striking out all of section  
1 after the word "minors," in line 17.  
Adopted.

The bill was ordered engrossed.

Senator Woods moved to reconsider  
the vote by which the bill was en-  
grossed, and to lay that motion on the  
table.

Tabled.

Senator Wayland moved to suspend  
the regular order of business to take  
up, on its third reading,

Senate bill No. 83, a bill to be enti-  
tled "An act to regulate the compensa-  
tion of certain State, district and coun-  
ty officers in this State, and to repeal  
all laws and parts of laws in conflict  
therewith."

Suspended by the following vote:

Yeas—18.

Atlee.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Nays—6.

Darwin.	Ross.
Goss.	Tillett.
Lewis.	Turney.

Absent.

Beall.	Linn of Wharton.
Gough.	Stone.

Excused.

Bailey.	Neal.
Morriss.	

Bill read second time.

By Senator Wayland:

Amend the caption of the bill by in-  
serting a comma (,) after the word  
"district," in line 19 of engrossed bill,  
and by striking out the word "and"  
after the word "district" in said line;

and amend further by inserting in the caption, in same line, after the word "county" the words "and precinct."

**Adopted.**

By Senator Yantis:

Amend by adding after the word "fees," wherever it occurs in this bill, the words "and commissions."

**Adopted by the following vote:**

Yeas—23.

Atlee.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Nays—1.

Turney.

Present, not voting.

Lewis.

Absent.

Beall.	Linn of Wharton.
Gough.	Stone.

Excused.

Bailey.	Neal.
Morriss.	

By Senator Darwin:

Amend by striking out "\$1750" in lines 26, 27, 28 and 29, and insert "\$1500;" and strike out "\$2500" and insert "\$2000;" strike out "\$2000" in lines 31 and 32 and insert "\$1750;" page 2, strike out "\$1750" and insert "\$1500."

Senator Colquitt moved the previous question on the amendment and the bill, which was duly seconded, and prevailed by the following vote:

Yeas—15.

Atlee.	Ross.
Boren.	Stafford.
Bowser.	Terrell.
Burns.	Wayland.
Colquitt.	Woods.
Kerr.	Yantis.
Linn of Victoria.	Yett.
Presler.	

Nays—10.

Beall.	Harrison.
Darwin.	Lewis.
Dibrell.	Rogers.
Goss.	Tillett.
Greer.	Turney.

Absent.

Gough.	Stone.
Linn of Wharton.	

18—Senate

Excused.

Bailey.	Neal.
Morriss.	

Senator Lewis made the point of order that the amendment was not in order for the reason that the figures sought to be inserted had been previously inserted by the Senate, and that for the amendment to be in order a reconsideration would be necessary.

**Sustained.**

**The bill was passed by the following vote:**

Yeas—18.

Atlee.	Presler.
Boren.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Colquitt.	Terrell.
Dibrell.	Wayland.
Goss.	Woods.
Gough.	Yantis.
Greer.	Yett.

Nays—3.

Darwin.	Tillett.
Linn of Victoria.	

Yeas.	Paired.	Nays.
Kerr.	Harrison.	

Present, not voting.

Beall.	Turney.
Lewis.	

Absent.

Linn of Wharton.	Stone.
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Excused.

Bailey.	Neal.
Morriss.	

There is a demand coming from the people for a fee bill. This bill does not answer that demand. In our judgment the bill is a farce. The officials who were bitterly fighting the bill have left Austin perfectly satisfied that the measure will not injure their business. Believing that the bill will furnish no relief to the mudsillers, we vote "no."

HARRISON,  
DARWIN.

I vote for Senate bill No. 83, known as the fee bill, not only for the reason that it is a platform demand, but because I believe the salaries of county officers should be fixed at a certain amount. I do not believe, however, that section 3, which allows district judges to appoint the various deputies to the several county officers, is constitutional. I do not think the Legislature can confer that power upon a district judge.

ROSS.

Senator Wayland moved to reconsid-

er the vote by which the bill was passed, and to lay that motion on the table. Tabled.

By consent, Senator Atlee offered the following Senate joint resolution:

Being Senate joint resolution No. 8, To amend section 3, article XI, of the constitution of the State of Texas, relating to subsidizing of railroads by counties now without railroads.

Read first time and referred to Committee on Constitutional Amendments.

The Chair gave notice of signing, and did sign in the presence of the Senate, after the caption had been read.

Senate bill No. 249, a bill to be entitled "An act to amend sections 1, 6, 7, 105, 105a, 105b and 105c, of an act entitled an act to amend sections 38, 103, 105, 106 and 138 of an act entitled an act to incorporate the city of Fort Worth and to grant a charter to said city, approved March 20, 1889, and sections 6, 7, 29, 34, 88 and 102 of said act, as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101d, 101e, 102a, 103a, 104a, 106a, 106b, and also 105a, 105b, 105c, in reference to the board of equalization, and providing for an appeal from said board to the district court, passed by the Legislature of the State of Texas in the year 1895, and to add to said act the following sections, to-wit: 105d, 105e, 105f, 105g, 105h, 105n, 105o and 105p, and to repeal all laws and parts of laws in conflict with this act."

#### IN SENATE.

House bill No. 370, a bill to be entitled "An act to restore and confer upon the county court of Titus county the civil jurisdiction heretofore belonging to said county under the Constitution and General Laws of this State, and to conform the jurisdiction of the district court of said county to said change."

Read first time and referred to Judiciary Committee No. 1.

House bill No. 213, a bill to be entitled "An act to restore and confer upon the county court of Hardin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act."

Read first time and referred to Judiciary Committee No. 1.

The following privileged committee reports were submitted:

Committee Room,  
Austin, Texas, March 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 249, "An act to amend sections 1, 6, 7, 105, 105a, 105b, and 105c, of an act entitled an act to amend sections 38, 103, 105, 106 and 138 of an act entitled an act to incorporate the city of Fort Worth and to grant a charter to said city, approved March 20, 1889, and sections 6, 7, 29, 34, 88 and 102 of said act, as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101d, 101e, 102a, 103a, 104a, 106a, 106b, and also 105a, 105b, 105c, in reference to the board of equalization, and providing for an appeal from said board to the district court, passed by the Legislature of the State of Texas in the year 1895, and to add to said act the following sections, to-wit: 105d, 105e, 105f, 105g, 105h, 105n, 105o and 105p, and to repeal all laws and parts of laws in conflict with this act."

And find the same correctly enrolled, and have this day, at 5:25 p. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,  
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 248, "An act to authorize and permit the Aransas Pass Harbor Company to purchase from the State of Texas Harbor island, certain shoal waters and flats in front thereof and in Redfish bay on the Gulf coast of Texas, in order to encourage the procuring and maintenance of deep water at Aransas Pass, and prescribing certain conditions attaching and following said purchase,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Senator Rogers moved to suspend the regular order, to take up on its third reading.

Senate bill No. 153, a bill to be entitled "An act to amend article 271 of chapter 6, title 8, of the Penal Code of the State of Texas, adopted in 1895,

relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

Lost.

Senator Tillett moved to suspend the regular order to take up

Senate bill No. 187, a bill to be entitled "An act prohibiting the issuance of bonds for any purpose by any county, city or town in excess of one-fourth of 1 per cent of the taxable values of such county, city or town, except upon an election to be held therefor, and providing for such election and the manner of holding the same, and defining the qualifications of voters at such election,"

Lost.

By consent, Senator Boren sent up the following resolution:

Resolved, that special committee appointed to visit penitentiaries, State farms, etc., be allowed a clerk to accompany them, and that Mr. R. F. Powell be assigned to said duty.

Read and referred to Committee on Rules.

Senator Dibrell moved to reconsider the vote by which the Senate refused to take up Senate bill No. 187 (see above).

Reconsidered.

The regular order was then suspended to take up the bill.

Bill read second time.

By Senator Tillett:

Amend line 13, page 1, by inserting after the word "issue" the words "at any one time."

Adopted.

By Senator Tillett:

Amend line 16, page 1, by inserting after the word "town" the words "or if the amount thereof exceed the sum of \$10,000."

Adopted.

By Senator Tillett:

Amend by adding

Sec. 9. The fact that many counties, cities and towns are issuing excessive bonds, which are a burden to the taxpayers, and the crowded condition of the calendar and the near approach of the adjournment of the Legislature creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this act take effect from and after its passage, and it is so enacted.

Adopted.

By Senator Colquitt:

Amend by striking out all after the word "applicable," in line 26, section 2.

Lost by the following vote:

Yeas—10.

Atlee.	Ross.
Colquitt.	Terrell.
Goss.	Woods.
Linn of Victoria.	Yantis.
Presler.	Yett.

Nays—13.

Beall.	Greer.
Boren.	Harrison.
Bowser.	Rogers.
Burns.	Stafford.
Darwin.	Stone.
Dibrell.	Tillett.
Gough.	

Absent.

Kerr.	Turney.
Lewis.	Wayland.
Linn of Wharton.	

Excused.

Bailey.	Neal.
Morriss.	

By Senator Ross:

Amend by striking out all of section 2 after the word "elections" in line 26.

Adopted by the following vote:

Yeas—14.

Atlee.	Linn of Victoria.
Boren.	Ross.
Bowser.	Terrell.
Burns.	Wayland.
Colquitt.	Woods.
Goss.	Yantis.
Gough.	Yett.

Nays—7.

Beall.	Rogers.
Darwin.	Stone.
Greer.	Tillett.
Harrison.	

Absent.

Dibrell.	Presler.
Kerr.	Stafford.
Lewis.	Turney.
Linn of Wharton.	

Excused.

Bailey.	Neal.
Morriss.	

By Senator Gough:

Amend by striking out section 5 of the bill and insert in lieu thereof the following:

"Section 5. All persons may vote at such election who are qualified voters under the Constitution and laws of this State and are residents of the county in which such election is held."

Lost by the following vote:

Yeas—10.

Atlee.	Linn of Victoria.
Boren.	Stafford.
Goss.	Terrell.
Gough.	Wayland.
Greer.	Yantis.

## Nays—13.

Beall.	Rogers.
Bowser.	Ross.
Burns.	Stone.
Colquitt.	Tillett.
Darwin.	Woods.
Dibrell.	Yett.
Harrison.	

## Absent.

Kerr.	Presler.
Lewis.	Turney.
Linn of Wharton.	

## Excused.

Bailey.	Neal.
Morriss.	

By Senator Terrell:

Amend by adding to section 3, after the word "place," "and the sheriff, or city marshal if in a city or town, shall post such notices and make due return on same."

Adopted.

By Senator Stafford:

Amend section 7, lines 16 and 17, by striking out "majority" and inserting in lieu thereof "two-thirds majority."

Lost by the following vote:

## Yeas—7.

Boren.	Stafford.
Bowser.	Stone.
Goss.	Woods.
Presler.	

## Nays—17.

Atlee.	Linn of Victoria.
Beall.	Rogers.
Burns.	Ross.
Colquitt.	Terrell.
Darwin.	Tillett.
Dibrell.	Wayland.
Gough.	Yantis.
Greer.	Yett.
Harrison.	

## Absent.

Kerr.	Linn of Wharton.
Lewis.	Turney.

## Excused.

Bailey.	Neal.
Morriss.	

(Senator Stafford in the chair.)

By Senator Atlee:

Add to section 5 the following, "and shall have paid all taxes payable by him to such county, city or town prior to any such election."

Adopted by the following vote:

## Yeas—13.

Atlee.	Stafford.
Boren.	Stone.
Colquitt.	Terrell.
Goss.	Wayland.
Linn of Victoria.	Woods.
Presler.	Yett.
Ross.	

## Nays—11.

Beall.	Greer.
Bowser.	Harrison.
Burns.	Rogers.
Darwin.	Tillett.
Dibrell.	Yantis.
Gough.	

## Absent.

Kerr.	Linn of Wharton.
Lewis.	Turney.

## Excused.

Bailey.	Neal.
Morriss.	

The bill as amended was ordered engrossed by the following vote:

## Yeas—18.

Boren.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Gough.	Tillett.
Greer.	Wayland.
Harrison.	Woods.
Presler.	Yett.

## Nays—6.

Atlee.	Goss.
Beall.	Linn of Victoria.
Bowser.	Yantis.

## Absent.

Kerr.	Linn of Wharton.
Lewis.	Turney.

## Excused.

Bailey.	Neal.
Morriss.	

Senator Gough moved to reconsider the vote by which the bill was ordered engrossed.

Reconsidered.

Senator Gough then moved to reconsider the vote by which the amendment offered by Senator Stafford (see above) was lost.

Lost by the following vote:

## Yeas—10.

Boren.	Presler.
Bowser.	Ross.
Goss.	Stafford.
Gough.	Wayland.
Linn of Victoria.	Woods.

## Nays—13.

Atlee.	Harrison.
Beall.	Stone.
Burns.	Terrell.
Colquitt.	Tillett.
Darwin.	Yantis.
Dibrell.	Yett.
Greer.	

## Absent.

Kerr.	Rogers.
Lewis.	Turney.
Linn of Wharton.	

**Excused.**

Bailey. Neal.  
Morriss.

Senator Dibrell moved to reconsider the vote by which the amendment offered by Senator Atlee (see above) was adopted.

Lost by the following vote:

Yeas—11.

Beall. Greer.  
Bowser. Harrison.  
Burns. Rogers.  
Darwin. Tillett.  
Dibrell. Yantis.  
Gough.

Nays—13.

Atlee. Stafford.  
Boren. Stone.  
Colquitt. Terrell.  
Goss. Wayland.  
Linn of Victoria. Woods.  
Presler. Yett.  
Ross.

**Absent.**

Kerr. Linn of Wharton.  
Lewis. Turney.

**Excused.**

Bailey. Neal.  
Morriss.

The bill was then ordered engrossed.

Senator Tillett moved to reconsider the vote by which the bill passed to engrossment, and to lay that motion on the table.

Tabled.

On motion of Senator Rogers, the regular order of business was suspended to take up on its third reading.

Senate bill No. 153, a bill to be entitled "An act to amend article 271, chapter 6, of title VIII. of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

Bill read third time and passed.

Senator Rogers moved to reconsider by which the bill passed, and to lay that motion on the table.

Tabled.

On motion of Senator Burns, the regular order of business was suspended to take up, on its second reading,

Senate bill No. 33, a bill to be entitled "An act to protect accountants, bookkeepers, artisans, craftsmen, factory operatives, mill operatives, servants, mechanics, quarrymen and common laborers; to provide a lien and to prescribe the time of payment, etc."

Bill read second time.

By Senator Yantis:

Amend by adding in line 15, page 1, after the words "common labor," the words "farm hands."

Adopted.

By Senator Bowser:

Strike out all of section 3 after the word "State," in line 19.

Adopted.

By Senator Tillett:

Amend line 12, page 2, by striking out "twelve," and insert in lieu thereof "six."

Lost by the following vote:

Yeas—9.

Beall. Terrell.  
Boren. Tillett.  
Bowser. Wayland.  
Dibrell. Woods.  
Stone.

Nays—13.

Atlee. Linn of Victoria.  
Burns. Presler.  
Colquitt. Rogers.  
Darwin. Ross.  
Goss. Stafford.  
Greer. Yantis.  
Harrison.

**Absent.**

Gough. Linn of Wharton.  
Kerr. Turney.  
Lewis. Yett.

**Excused.**

Bailey. Neal.  
Morriss.

By Senator Yantis:

Amend caption, in line 7, by inserting "farm hands" after the word "laborers."

Adopted.

By Senator Tillett:

Amend by striking out section 4.

Lost.

By Senator Yantis:

Amend by striking out the word "and" in caption, in line 7, just before the word "common," and insert it after the word "laborers."

Adopted.

By Senator Terrell:

Amend by striking out the words "in which to," in line 12, page 2, and insert in lieu thereof the following: "Within which to bring suit to."

Adopted.

By Senator Dibrell:

Amend by adding in line 28, section 1, after the word "trustees," the following: "Provided, that when any farm hand desires to take advantage of the provisions of this act he shall be required to foreclose his lien as against farm products before the same leaves

the premises upon which such farm products are produced."

Pending action,

Senator Greer moved that the Senate adjourn to 10 a. m. to-morrow.

Senator Atlee moved that the Senate adjourn to 10 a. m. Wednesday.

Lost by the following vote:

Yeas—4.

Atlee.	Ross.
Burns.	Stone.

Nays—17.

Beall.	Rogers.
Boren.	Stafford.
Bowser.	Terrell.
Colquitt.	Tillett.
Darwin.	Wayland.
Dibrell.	Woods.
Gough.	Yantis.
Greer.	Yett.
Harrison.	

Absent.

Goss.	Linn of Wharton.
Kerr.	Presler.
Lewis.	Turney.
Linn of Victoria.	

Excused.

Bailey.	Neal.
Morriss.	

The Senate then adjourned to 10 a. m. to-morrow.

#### FORTY-THIRD DAY.

Senate Chamber,

Austin, Tex., Tuesday, Mar. 9, 1897.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Beall.	Linn of Wharton.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Wayland.
Greer.	Yantis.
Harrison.	Yett.

Absent.

Atlee.	Linn of Victoria.
Kerr.	Turney.
Lewis.	Woods.

Excused.

Bailey.	Neal.
Morriss.	

Prayer by Rev. Jackson, Chaplain of the House of Representatives.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

On motion of Senator Gough, Senator Linn of Victoria was excused from attendance upon the Senate for the remainder of the week, on account of important business.

On motion of Senator Ross, Senator Linn of Wharton was excused for yesterday, on account of important business.

On motion of Senator Yantis, Senator Woods was excused for to-day, on account of important business.

On motion of Senator Tillett, Senators Lewis and Turney were excused for to-day, on account of official business.

On motion of Senator Yett, The Chaplain was excused for to-day, on account of sickness.

#### PETITIONS AND MEMORIALS.

By Senator Presler:

Petition of Teachers' Institute of Brown county, asking for the passage of a uniform text book bill.

Read and referred to the Committee on Education.

By Senator Darwin:

Petition of 180 citizens of Titus county, protesting against the passage of House bill No. 370, restoring the civil jurisdiction to the County Court of said county.

Read and referred to Judiciary Committee No. 1.

By Senator Yett:

Petition of teachers of Travis county, requesting a proper observance of all legal holidays by the teachers of this State.

Read and referred to the Committee on Education.

By Senator Burns:

Memorial from 105 citizens of Waller county, praying that the branch university for colored youths should be established at and made a part of the Prairie View Normal.

Read and referred to the Committee on Education.

By Senator Beall:

Petition from the Hillsboro School Board, praying for the passage of an act authorizing city and town public schools to pay janitors and purchase school supplies, etc.

Read and referred to the Committee on Education.